

Application No. 09/003,925

Art Unit: 3762

REMARKS

In the Office Action mailed October 21, 2003 all pending claims 1-36 were rejected. In this Reply, no claims are canceled, no claims are amended and no new claims are presented. Thus, claims 1-36 are pending examination on the merits.

For the convenience of the Examiner, originally submitted claims 1-36 are set forth hereinabove.

Objection to the Drawings

The drawings stand objected to by the Official Draftsperson; namely, all the formal drawings submitted for review are allegedly determined to contain "copy machine marks." Applicants herewith re-submit the formal drawings previously submitted (March 2001). The drawings are sent herewith via fax and Applicants will promptly submit hard copies of the formal drawings via express delivery.

Applicants respectfully suggest that the ground for objection to the formal drawings has been satisfied and that same should be withdrawn.

Rejections Under 35 U.S.C. §102(e)

In the Office Action, certain claims were rejected under 35 USC §102(e) as being anticipated by a published patent application by Spillman (US2002/0155350 A1) or separately as being anticipated by a published U.S. patent application by Frysz et al. (US2001/0055716 A1). In addition, certain claims were rejected under 35 USC 103(a) as being unpatentable over Frysz et al. in view of Kyle. These rejections are respectfully traversed.

Attached hereto is an executed Declaration signed by all the inventors of the claimed invention indicating that conception and actual reduction to practice occurred well prior to the effective filing date of both the Frysz et al. and Spillman

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references, including any potential claim for priority. As such, these references strand antedated and the Examiner is requested to withdraw the rejections.

CONCLUSION

Applicants respectfully suggest that all presently pending claims 1-36 of the instant application are now in condition for allowance. Applicants respectfully request reconsideration and prompt allowance of said claims. Please charge any additional fees or credit any overpayment to deposit account number 13-2546.

The Examiner is invited to telephone the below-signed attorney to discuss this application.

Respectfully submitted,

20 Feb. '04
Date

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